

1-1 By: Riddle, et al. (Senate Sponsor - Huffman) H.B. No. 431  
1-2 (In the Senate - Received from the House April 29, 2013;  
1-3 May 8, 2013, read first time and referred to Committee on Criminal  
1-4 Justice; May 17, 2013, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;  
1-6 May 17, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Whitmire	X		
1-10	Huffman	X		
1-11	Carona	X		
1-12	Hinojosa	X		
1-13	Patrick	X		
1-14	Rodriguez	X		
1-15	Schwertner	X		

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 431 By: Huffman

1-17 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to reconsideration of parole eligibility for certain  
1-20 inmates convicted of injury to a child, elderly person, or disabled  
1-21 person.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. This Act may be cited as Emma's Law.

1-24 SECTION 2. Section 508.141, Government Code, is amended by  
1-25 amending Subsection (g) and adding Subsection (g-1) to read as  
1-26 follows:

1-27 (g) The board shall adopt a policy establishing the date on  
1-28 which the board may reconsider for release an inmate who has  
1-29 previously been denied release. The policy must require the board  
1-30 to reconsider for release:

1-31 (1) an inmate serving a sentence for an offense listed  
1-32 in Section 508.149(a) or for an offense punishable as a felony of  
1-33 the second or third degree under Section 22.04, Penal Code, during a  
1-34 month designated under Subsection (g-1) by the parole panel that  
1-35 denied release; and

1-36 (2) an inmate other than an inmate described by  
1-37 Subdivision (1) as soon as practicable after the first anniversary  
1-38 of the date of the denial.

1-39 (g-1) The [designated] month designated under Subsection  
1-40 (g)(1) by the parole panel that denied release must begin after the  
1-41 first anniversary of the date of the denial and end before the fifth  
1-42 anniversary of the date of the denial. [The policy must require the  
1-43 board to reconsider for release an inmate other than an inmate  
1-44 serving a sentence for an offense listed in Section 508.149(a) as  
1-45 soon as practicable after the first anniversary of the date of the  
1-46 denial.]

1-47 SECTION 3. The change in law made by this Act applies on or  
1-48 after the effective date of this Act to the policy adopted by the  
1-49 Board of Pardons and Paroles under Section 508.141(g), Government  
1-50 Code, concerning the time by which the board must reconsider an  
1-51 inmate for release on parole, regardless of whether the inmate is  
1-52 serving a sentence for an offense committed before, on, or after the  
1-53 effective date of this Act.

1-54 SECTION 4. This Act takes effect immediately if it receives  
1-55 a vote of two-thirds of all the members elected to each house, as  
1-56 provided by Section 39, Article III, Texas Constitution. If this  
1-57 Act does not receive the vote necessary for immediate effect, this  
1-58 Act takes effect September 1, 2013.

1-59 \* \* \* \* \*